

Treaty Series, No. 863

NARCOTIC DRUGS

Convention and Protocol of Signature  
Between the United States of America  
and Other Powers

Concluded at Geneva, July 13, 1931.  
Ratification advised by the Senate of the United States,  
March 31, 1932 (legislative day of March 23, 1932).  
Ratified by the President of the United States, April 8, 1932.  
Ratification of the United States deposited at Geneva,  
April 28, 1932.  
Proclaimed by the President of the United States, July 10, 1933.

By the President of the United States of America

A PROCLAMATION

Whereas a Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, dated Geneva, July 13, 1931, and left open for signature until December 31, 1931, was signed by the respective Plenipotentiaries of the United States of America, (with reservations); Germany; Argentine Republic; Austria; Belgium; Bolivia; Brazil; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; India, Chile; Costa Rica; Cuba; Denmark; Free City of Danzig; Dominican Republic; Egypt; Spain; Ethiopia; France (with reservation); Greece; Guatemala; Hejaz, Nejd and Dependencies; Italy; Japan (with a reservation as recorded in the protocol of signature); Liberia; Lithuania; Luxembourg; Mexico; Monaco; Panama; Paraguay; the Netherlands; Persia; Poland; Portugal; Rumania; San Marino; Siam (with a reservation); Sweden; Switzerland; Czechoslovakia; Uruguay and Venezuela; together with a Protocol of Signature, the original of which Convention and Protocol, being in the English and French languages, are word for word as follows:

CONVENTION FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION  
OF NARCOTIC DRUGS

The President of the German Reich; the President of the United States of America; the President of the Argentine Republic; the Federal President of the Austrian Republic; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Majesty the King of Great Britain, Ireland and the British Dominions Beyond the Seas, Emperor of India; the President of the Republic of Chile; the President of the Republic of Costa Rica; the President of the Republic of Cuba; His Majesty the King of Denmark and Iceland; the President of the Polish Republic, for the Free City of Danzig; the President of the Dominican Republic; His Majesty the King of Egypt; the President of the Provisional Government of the Spanish Republic; His Majesty the Emperor and King of the Kings of Abyssinia; the President of the French Republic; the President of the Hellenic Republic; the President of the Republic of Guatemala; His Majesty the King of Hejaz, Nejd and Dependencies; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Republic of Liberia; the President of the Republic of Lithuania; Her Royal Highness the Grand Duchess of Luxemburg; the President of the United States of Mexico; His Serene Highness the Prince of Monaco; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; His Imperial Majesty the Shah of Persia; the President of the Polish Republic; the President of the Portuguese Republic; His Majesty the King of Roumania; I Capitani Reggenti of the Republic of San Marino; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Republic of Uruguay; the President of the United States of Venezuela,

Desiring to supplement the provisions of the International Opium Conventions, signed at The Hague on January 23rd, 1912, and at Geneva on February 19th, 1925, by rendering effective by international agreement the limitation of the manufacture of narcotic drugs to the world's legitimate requirements for medical and scientific purposes and by regulating their distribution,

Have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries: (names of Plenipotentiaries follow).

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

## CHAPTER I. - DEFINITIONS.

## Article 1.

Except where otherwise expressly indicated, the following definitions shall apply throughout this Convention:

1. The term "Geneva Convention" shall denote the International Opium Convention signed at Geneva on February 19th, 1925.

2. The term "the drugs" shall denote the following drugs whether partly manufactured or completely refined:

## Group I.

## Sub-Group (a):

- (i) Morphine and its salts, including preparations made directly from raw or medicinal opium and containing more than 20 per cent of morphine;
- (ii) Diacetylmorphine and the other esters of morphine and their salts;
- (iii) Cocaine and its salts, including preparations made direct from the coca leaf and containing more than 0.1 per cent of cocaine, all the esters of ecgonine and their salts;
- (iv) Dihydrohydroxycodeinone (of which the substance registered under the name of eucodal is a salt); dihydrocodeinone (of which the substance registered under the name of dicodide is a salt); dihydromorphinone (of which the substance registered under the name of dilaudide is a salt); acetyldihydrocodeinone or acetyldemethyldihydrothebaine (of which the substance registered under the name of acedicon is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

## Sub-Group (b):

Ecgonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except methyl morphine (codeine), ethylmorphine and their salts.

## Group II.

Methylmorphine (codeine), ethylmorphine and their salts.

The substances mentioned in this paragraph shall be considered as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall respectively denote Groups I and II of this paragraph.

3. "Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L., which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

"Medical opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopoeia, whether in powder form or granulated or otherwise or mixed with neutral materials.

"Morphine" means the principal alkaloid of opium having the chemical formula  $C_{17}H_{19}O_3N$ .

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula  $C_{21}H_{23}O_5N$  ( $C_{17}H_{17}(C_2H_3O)_2N$ ).

"Coca leaf" means the leaf of the *Erythroxylon Coca* Lamarck and the *Erythroxylon novogranatense* (Morris) Hieronymus and their varieties, belonging to the family of Erythroxylaceae and the leaf of other species of this genus from which it may be found possible to extract cocaine, either directly or by chemical transformation.

"Cocaine" means methyl-benzoyl laevo-ecgonine ( $[\alpha]_D^{20} = -16.4$ ) in 20 per cent solution of chloroform of which the formula is  $C_{17}H_{21}O_4N$ .

"Ecgonine" means laevo-ecgonine ( $[\alpha]_D^{20} = -45.6$  in 5 per cent solution of water), of which the formula is  $C_9H_{15}O_3N \cdot H_2O$ , and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.

The following drugs are defined by their chemical formulae as set out below:



Dihydrohydroxycodeinone..	C <sub>18</sub> H <sub>21</sub> O <sub>4</sub> N	
Dihydrocodeinone.....	C <sub>18</sub> H <sub>21</sub> O <sub>3</sub> N	
Dihydromorphinone.....	C <sub>17</sub> H <sub>19</sub> O <sub>3</sub> N	
Acetyldihydrocodeinone or)		
Acetyldimethylodihydro-	C <sub>20</sub> H <sub>23</sub> O <sub>4</sub> N	(C <sub>18</sub> H <sub>20</sub> (C <sub>2</sub> H <sub>3</sub> O) <sub>2</sub> O <sub>3</sub> N)
thebaine		
Dihydromorphine.....	C <sub>17</sub> H <sub>21</sub> O <sub>3</sub> N	
Morphine-N-Oxide.....	C <sub>17</sub> H <sub>19</sub> O <sub>4</sub> N	
Thebaine.....	C <sub>19</sub> H <sub>21</sub> O <sub>3</sub> N	
Methylmorphine (codeine)..	C <sub>18</sub> H <sub>21</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (CH <sub>3</sub> O) <sub>2</sub> O <sub>2</sub> N)
Ethylmorphine.....	C <sub>19</sub> H <sub>23</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (C <sub>2</sub> H <sub>5</sub> O) <sub>2</sub> O <sub>2</sub> N)
Benzylmorphine.....	C <sub>24</sub> H <sub>25</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (C <sub>7</sub> H <sub>7</sub> O) <sub>2</sub> O <sub>2</sub> N)

4. The term "manufacture" shall include any process of refining. The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

The term "estimates" shall denote estimates furnished in accordance with Article 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

Dihydrohydroxycodone..	C <sub>18</sub> H <sub>21</sub> O <sub>4</sub> N	
Dihydrocodeinone.....	C <sub>18</sub> H <sub>21</sub> O <sub>3</sub> N	
Dihydromorphinone.....	C <sub>17</sub> H <sub>19</sub> O <sub>3</sub> N	
Acetyldihydrocodeinone or)		
Acetylmethyldihydro-	C <sub>20</sub> H <sub>23</sub> O <sub>4</sub> N	(C <sub>18</sub> H <sub>20</sub> (C <sub>2</sub> H <sub>3</sub> O) <sub>2</sub> O <sub>3</sub> N)
thebaine )		
Dihydromorphine.....	C <sub>17</sub> H <sub>21</sub> O <sub>3</sub> N	
Morphine-N-Oxide.....	C <sub>17</sub> H <sub>19</sub> O <sub>4</sub> N	
Thebaine.....	C <sub>19</sub> H <sub>21</sub> O <sub>3</sub> N	
Methylmorphine (codeine)..	C <sub>18</sub> H <sub>21</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (CH <sub>3</sub> O) <sub>2</sub> O <sub>2</sub> N)
Ethylmorphine.....	C <sub>19</sub> H <sub>23</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (C <sub>2</sub> H <sub>5</sub> O) <sub>2</sub> O <sub>2</sub> N)
Benzylmorphine.....	C <sub>24</sub> H <sub>25</sub> O <sub>3</sub> N	(C <sub>17</sub> H <sub>18</sub> (C <sub>7</sub> H <sub>7</sub> O) <sub>2</sub> O <sub>2</sub> N)

4. The term "manufacture" shall include any process of refining. The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

The term "estimates" shall denote estimates furnished in accordance with Article 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

CHAPTER II. - ESTIMATES.

Article 2.

1. Each High Contracting Party shall furnish annually, for each of the drugs in respect of each of his territories to which this Convention applies, to the Permanent Central Board, constituted under Chapter VI of the Geneva Convention, estimates in accordance with the provisions of Article 5 of this Convention.

2. In the event of any High Contracting Party failing to furnish, by the date specified in paragraph 4 of Article 5, an estimate in respect of any of his territories to which this Convention applies, an estimate will, so far as possible, be furnished by the Supervisory Body specified in paragraph 6 of Article 5.

3. The Permanent Central Board shall request estimates for countries or territories to which this Convention does not apply to be made in accordance with the provisions of this Convention. If for any such country estimates are not furnished, the Supervisory Body shall itself, as far as possible, make the estimate.

Article 3.

Any High Contracting Party may, if necessary, in any year furnish in respect of any of his territories supplementary estimates for that territory for that year with an explanation of the circumstances which necessitate such supplementary estimates.

Article 4.

1. Every estimate furnished in accordance with the preceding Articles, so far as it relates to any of the drugs required for domestic consumption in the country or territory in respect of which it is made, shall be based solely on the medical and scientific requirements of that country or territory.

2. The High Contracting Parties may, in addition to reserve stocks, create and maintain government stocks.

Article 5.

1. Each estimate provided for in Articles 2 to 4 of this Convention shall be in the form from time to time prescribed by the Permanent Central Board and communicated by the Board to all Members of the League of Nations and to the non-member States mentioned in Article 27.

2. Every estimate shall show for each country or territory for each year in respect of each of the drugs whether in the form of alkaloid or salts or of preparations of the alkaloids or salts:

- (a) The quantity necessary for use as such for medical and scientific needs, including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;
- (b) The quantity necessary for the purpose of conversion, whether for domestic consumption or for export;
- (c) The amount of the reserve stocks which it is desired to maintain;
- (d) The quantity required for the establishment and maintenance of any Government stocks as provided for in Article 4.

The total of the estimates for each country or territory shall consist of the sum of the amounts specified under (a) and (b) of this paragraph with the addition of any amounts which may be necessary to bring the reserve stocks and the Government stocks up to the desired level, or after deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall, however, not be taken into account except in so far as the High Contracting Parties concerned shall have forwarded in due course the necessary estimates to the Permanent Central Board.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that in the case of any of the drugs which are or may be included in Group II, a wider margin may be necessary than in the case of the other drugs.

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

5. Supplementary estimates shall be sent to the Permanent Central Board immediately on their completion.

6. The estimates shall be examined by a Supervisory Body. The Advisory Committee on the Traffic in Opium and other Dangerous Drugs of the League of Nations, the Permanent Central



Board, the Health Committee of the League of Nations and the Office international d'hygiène publique shall each have the right to appoint one member of this Body. The Secretariat of the Supervisory Body shall be provided by the Secretary-General of the League of Nations, who will ensure close collaboration with the Permanent Central Board.

The Supervisory Body may require any further information or details, except as regards requirements for Government purposes, which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished in order to make the estimate complete or to explain any statement made therein, and may, with the consent of the Government concerned, amend any estimate in accordance with any information or details so obtained. It is understood that in the case of any of the drugs which are or may be included in Group II a summary statement shall be sufficient.

7. After examination by the Supervisory Body as provided in paragraph 6 above of the estimates furnished, and after the determination by that Body as provided in Article 2 of the estimates for each country or territory on behalf of which no estimates have been furnished, the Supervisory Body shall forward, not later than November 1st in each year, through the intermediary of the Secretary-General, to all the Members of the League of Nations and non-member States referred to in Article 27, a statement containing the estimates for each country or territory, and, so far as the Supervisory Body may consider necessary, an account of any explanations given or required in accordance with paragraph 6 above, and any observations which the Supervisory Body may desire to make in respect of any such estimate or explanation, or request for an explanation.

8. Every supplementary estimate sent to the Permanent Central Board in the course of the year shall be dealt with without delay by the Supervisory Body in accordance with the procedure specified in paragraphs 6 and 7 above.

### CHAPTER III. - LIMITATION OF MANUFACTURE

#### Article 6.

1. There shall not be manufactured in any country or territory in any one year a quantity of any of the drugs greater than the total of the following quantities:

(a) The quantity required within the limits of the estimates for that country or territory for that year for use as such for its medical and scientific needs

including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity required within the limits of the estimates for that country or territory for that year for conversion, whether for domestic consumption or for export;

(c) Such quantity as may be required by that country or territory for the execution during the year of orders for export in accordance with the provisions of this Convention.

(d) The quantity, if any, required by that country or territory for the purpose of maintaining the reserve stocks at the level specified in the estimates for that year;

(e) The quantity, if any, required for the purpose of maintaining the Government stocks at the level specified in the estimates for that year.

2. It is understood that, if at the end of any year, any High Contracting Party finds that the amount manufactured exceeds the total of the amounts specified above, less any deductions made under Article 7, paragraph 1, such excess shall be deducted from the amount to be manufactured during the following year. In forwarding their annual statistics to the Permanent Central Board, the High Contracting Parties shall give the reasons for any such excess.

#### Article 7.

There shall be deducted from the total quantity of each drug permitted under Article 6 to be manufactured in any country or territory during any one year:

(i) Any amounts of that drug imported including any returned deliveries of the drug, less quantities re-exported.

(ii) Any amounts of the drug seized and utilised as such for domestic consumption or for conversion.

If it should be possible to make any of the above deductions during the course of the current year, any amounts remaining in excess at the end of the year shall be deducted from the estimates for the following year.

## Article 8.

The full amount of any of the drugs imported into or manufactured in any country or territory for the purpose of conversion in accordance with the estimates for that country or territory shall, if possible, be utilised for that purpose within the period for which the estimate applies.

In the event, however, of it being impossible to utilise the full amount for that purpose within the period in question, the portion remaining unused at the end of the year shall be deducted from the estimates for that country or territory for the following year.

## Article 9.

If at the moment when all the provisions of the Convention shall have come into force, the then existing stocks of any of the drugs in any country or territory exceeds the amount of the reserve stocks of that drug, which, according to the estimates for that country or territory, it is desired to maintain, such excess shall be deducted from the quantity which, during the year, could ordinarily be imported or manufactured as the case may be under the provisions of this Convention.

Alternatively, the excess stocks existing at the moment when all the provisions of the Convention shall have come into force shall be taken possession of by the Government and released from time to time in such quantities only as may be in conformity with the present Convention. Any quantities so released during any year shall be deducted from the total amount to be manufactured or imported as the case may be during that year.

## CHAPTER IV. - PROHIBITIONS AND RESTRICTIONS.

## Article 10.

1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts.

2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and is consigned to the Government Department indicated in the certificate.



3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

#### Article 11.

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office international d'hygiène publique decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.



3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

#### Article 11.

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

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3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office International d'Hygiene publique decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate regime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

#### Article 12.

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

#### CHAPTER V. - CONTROL.

#### Article 13

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate regime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

#### Article 12.

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

#### CHAPTER V. - CONTROL.

#### Article 13

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.



(b) The High Contracting Parties shall treat solutions or dilutions of morphine or cocaine or their salts in an inert substance, liquid or solid, which contain 0.2 per cent or less of morphine or 0.1 per cent or less of cocaine in the same way as preparations containing more than these percentages.

2. The High Contracting Parties shall apply to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith):

- (a) The provisions of Articles 6 and 7 in so far as they relate to the manufacture, import, export and wholesale trade in these drugs;
- (b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use;
- (c) The provisions of paragraphs 1 (b), (c) and (e) and paragraph 2 of Article 22, provided:

- (i) That the statistics of import and export may be sent annually instead of quarterly, and
- (ii) That paragraph 1 (b) and paragraph 2 of Article 22 shall not apply to preparations containing any of these drugs.

#### Article 14.

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Convention nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation; provided that, if the request for export amounts to 5 kilogrammes or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded. If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

2. If it appears from the import and export returns made to the Permanent Central Board or from the notifications made to the Board in pursuance of the preceding paragraph that the quantity exported or authorised to be exported to any country



or territory exceeds the total of the estimates for that country or territory as defined in Article 5, with the addition of the amounts shown to have been exported, the Board shall immediately notify the fact to all the High Contracting Parties, who will not, during the currency of the year in question, authorise any new exports to that country except:

- (i) In the event of a supplementary estimate being furnished for that country in respect both of any quantity or over-imported and of the additional quantity required; or
- (ii) In exceptional cases where the export in the opinion of the Government of the exporting country is essential in the interests of humanity or for the treatment of the sick.

3. The Permanent Central Board shall each year prepare a statement showing, in respect of each country or territory for the preceding year:

- (a) The estimates in respect of each drug;
- (b) The amount of each drug consumed;
- (c) The amount of each drug manufactured;
- (d) The amount of each drug converted;
- (e) The amount of each drug imported;
- (f) The amount of each drug exported;
- (g) The amount of each drug used for the compounding of preparations, exports of which do not require export authorisations.

If such statement indicates that any High Contracting Party has or may have failed to carry out his obligations under this Convention, the Board shall have the right to ask for explanations, through the Secretary-General of the League of Nations, from that High Contracting Party, and the procedure specified in paragraphs 2 to 7 of Article 24 of the Geneva Convention shall apply in any such case.

The Board shall, as soon as possible thereafter, publish the statement above mentioned together with an account, unless it thinks it unnecessary, of any explanations given or required in accordance with the preceding paragraph and any observations which the Board may desire to make in respect of any such explanation or request for an explanation.

The Permanent Central Board shall take all necessary measures to ensure that the statistics and other information which it receives under this Convention shall not be made public in such a manner as to facilitate the operations of speculators or to injure the legitimate commerce of any High Contracting Party.

#### CHAPTER VI. - ADMINISTRATIVE PROVISIONS.

##### Article 15.

The High Contracting Parties shall take all necessary legislative or other measures in order to give effect within their territories to the provisions of this Convention.

The High Contracting Parties shall, if they have not already done so, create a special administration for the purpose of:

- (a) Applying the provisions of the present Convention;
- (b) Regulating, supervising and controlling the trade in the drugs;
- (c) Organising the campaign against drug addiction, by taking all useful steps to prevent its development and to suppress the illicit traffic.

##### Article 16.

1. Each High Contracting Party shall exercise a strict supervision over:

- (a) The amounts of raw material and manufactured drugs in the possession of each manufacturer for the purpose of the manufacture or conversion of any of the drugs or otherwise;
- (b) The quantities of the drugs or preparations containing the drugs produced;
- (c) The disposal of the drugs and preparations so produced with especial reference to deliveries from the factories.

2. No High Contracting Party shall allow the accumulation in the possession of any manufacturer of quantities of raw materials in excess of those required for the economic conduct of business, having regard to the prevailing market conditions.

The amounts of raw material in the possession of any manufacturer at any one time shall not exceed the amounts required by that manufacturer for manufacture during the ensuing six months, unless the Government, after due investigation, considers that exceptional conditions warrant the accumulation of additional amounts, but in no case shall the total quantities which may be accumulated exceed one year's supply.

#### Article 17.

Each High Contracting Party shall require each manufacturer within his territories to submit quarterly reports stating:

- (a) The amount of raw materials and each of the drugs received into the factory by such manufacturer and the quantities of the drugs, or any other products whatever, produced from each of these substances. In reporting the amounts of raw materials so received, the manufacturer shall state the proportion of morphine, cocaine or ecgonine contained in or producible therefrom as determined by a method prescribed by the Government and under conditions considered satisfactory by the Government.
- (b) The quantities of either the raw material or the products manufactured therefrom which were disposed of during the quarter;
- (c) The quantities remaining in stock at the end of the quarter.

Each High Contracting Party shall require each wholesaler within his territories to make at the close of each year a report stating, in respect of each of the drugs, the amount of that drug contained in preparations, exported or imported during the year, for the export or import of which authorisations are not required.

#### Article 18

Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted.

## Article 19.

The High Contracting Parties will require that the labels under which any of the drugs, or preparations containing those drugs, are offered for sale, shall show the percentage of the drugs. These labels shall also indicate the name of the drugs as provided for in the national legislation.

## CHAPTER VII - GENERAL PROVISIONS

## Article 20.

1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes either at that time or subsequently to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin, and the drugs to be manufactured or converted as well as the names and addresses of persons or firms authorised.

2. In the event of the manufacture or conversion of any of the drugs ceasing in the territory of any High Contracting Party, he shall notify the Secretary-General to that effect, indicating the place and date at which such manufacture or conversion has ceased or will cease and specifying the drugs affected, as well as the names and addresses of persons or firms concerned.

3. The information furnished under this Article shall be communicated by the Secretary-General to the High Contracting Parties.

## Article 21.

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.



## Article 22.

The High Contracting Parties shall include in the annual statistics furnished by them to the Permanent Central Board the amounts of any of the drugs used by manufacturers and wholesalers for the compounding of preparations whether for domestic consumption or for export for the export of which export authorisations are not required.

The High Contracting Parties shall also include a summary of the returns made by the manufacturers in pursuance of Article 17.

## Article 23.

The High Contracting Parties will communicate to each other through the Secretary-General of the League of Nations, as soon as possible, particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers.

The particulars given shall indicate as far as possible:

- (a) The kind and quantity of drugs involved;
- (b) The origin of the drugs, their marks and labels;
- (c) The points at which the drugs were diverted into the illicit traffic;
- (d) The place from which the drugs were despatched, and the names of shipping or forwarding agents or consignors; the methods of consignment and the name and address of consignees, if known;
- (e) The methods and routes used by smugglers and names of ships, if any, in which the drugs have been shipped.
- (f) The action taken by the Government in regard to the persons involved, particularly those possessing authorisations or licences and the penalties imposed.
- (g) Any other information which would assist in the suppression of illicit traffic.

## Article 24.

The present Convention shall supplement the Hague Convention of 1912 and the Geneva Convention of 1925 in the relations between the High Contracting Parties bound by at least one of these latter Conventions.

## Article 25.

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Convention and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the Permanent Court of International Justice, if all the Parties to the Dispute are Parties to the Protocol of December 16th, 1920, relating to the Statute of that Court, and, if any of the Parties to the dispute is not a Party to the Protocol of December 16th, 1920, to an arbitral tribunal constituted in accordance with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

## Article 26.

Any High Contracting Party may, at the time of signature, ratification, or accession, declare that, in accepting the present Convention, he does not assume any obligation in respect of all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

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Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

Any High Contracting Party may, at any time after the expiration of the five-years period mentioned in Article 32, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration as if it were a denunciation under the provisions of Article 32.

The Secretary-General shall communicate to all the Members of the League and to the non-member States mentioned in Article 27, all declarations and notices received in virtue of this Article.

#### Article 27

The present Convention, of which the French and English texts shall both be authoritative, shall bear this day's date, and shall, until December 31st, 1931, be open for signature on behalf of any Member of the League of Nations, or of any non-member State which was represented at the Conference which drew up this Convention, or to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

#### Article 28

The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League and to the non-member States referred to in the preceding Article.

#### Article 29

As from January 1st, 1932, the present Convention may be acceded to on behalf of any Member of the League of Nations or any non-member State mentioned in Article 27.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-member States mentioned in that Article.



## Article 30.

The present Convention shall come into force ninety days after the Secretary-General of the League of Nations has received the ratifications or accessions of twenty-five Members of the League of Nations or non-member States, including any four of the following:

France, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Netherlands, Switzerland, Turkey, and the United States of America.

Provided always that the provisions of the Convention other than Articles 2 to 5 shall only be applicable from the first of January in the first year in respect of which estimates are furnished in conformity with Articles 2 to 5.

## Article 31.

Ratifications or accessions received after the date of the coming into force of this Convention shall take effect as from the expiration of the period of ninety days from the date of their receipt by the Secretary-General of the League of Nations.

## Article 32.

After the expiration of five years from the date of the coming into force of this Convention, the Convention may be denounced by an instrument in writing, deposited with the Secretary-General of the League of Nations. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year. Each denunciation shall operate only as regards the Member of the League or non-member State on whose behalf it has been deposited.

The Secretary General shall notify all the Members of the League and the non-member States mentioned in Article 27 of any denunciation received.

If, as a result of simultaneous or successive denunciations, the number of Members of the League and non-member States bound by the present Convention is reduced to less than twenty-five, the Convention shall cease to be in force as from the date on which the last of such denunciations shall take effect in accordance with the provisions of this Article.

## Article 33.

A request for the revision of the present Convention may at any time be made by any Member of the League of Nations or non-member State bound by this Convention by means of a notice addressed to the Secretary-General of the League of Nations. Such notice shall be communicated by the Secretary-General to the other Members of the League of Nations or non-member States bound by this Convention, and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention.

## Article 34.

The present Convention shall be registered by the Secretary-General of the League of Nations on the day of its entry into force.

\* \* \* \* \*

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention.

DONE at Geneva the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the Members of the League and to the non-Member States referred to in Article 27.

(Signatures and reservations follow - Japan signed without reservation.)

## PROTOCOL OF SIGNATURE

I. When signing the Convention for limiting the manufacture and regulating the distribution of narcotic drugs dated this day, the undersigned Plenipotentiaries, duly authorised to that effect and in the name of their respective Governments, declare to have agreed as follows:

If, on July 13th, 1933, the said Convention is not in force in accordance with the provisions of Article 30, the Secretary-General of the League of Nations shall bring the situation to the attention of the Council of the League of Nations, which may either convene a new Conference of all the members of the League and non-member States on whose behalf the Convention has been signed or ratifications or accessions deposited, to consider the situation, or take such measures as it considers necessary. The Government of every signatory or acceding member of the League of Nations or non-member State undertakes to be present at any Conference so convened.

II. The Japanese Government made the following reservation, which is accepted by the other High Contracting Parties:

Crude morphine resulting from the manufacture of prepared opium in the factory of the Government-General of Formosa and held in stock by that Government shall not be subjected to the limitation measures provided for in this Convention.

Such stocks of crude morphine will only be released from time to time in such quantities as may be required for the manufacture of refined morphine in factories licensed by the Japanese Government in accordance with the provisions of the present Convention.

\* \* \* \*

IN FAITH WHEREOF the undersigned have affixed their signatures to this Protocol.

DONE at Geneva, the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified true copies will be transmitted to all members of the League of Nations and to all non-member States represented at the Conference.

(Signatures follow)

E. N. D.

Document 187  
Page 23 (final)